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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,771	02/28/2002	James D. Crumly	10015964-1	8952

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

TESLOVICH, TAMARA

ART UNIT	PAPER NUMBER
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2137

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/086,771

Applicant(s)

CRUMLY ET AL.

Examiner

Tamara Teslovich

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-10, 12, 13, 15, 17-22, 25-29 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-10, 12, 13, 15, 17-22, 25-29 and 31-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the Applicant's Remarks and Amendments filed October 10, 2006.

Claims 1-4, 11, 14, 16, 23, 24, and 30 are cancelled.

Claims 31-34 are newly added.

Claims 4-10, 12, 13, 15, 17-22, 25-29, and 31-34 are herein considered.

Response to Arguments

Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 4-10, 12, 13, 15, 17-22, 25-29, and 31-34 are rejected under 35

U.S.C. 102(e) as being anticipated by US Patent No. 7,152,047 B1 by Nagel et al.

As per **claim 31**, Nagel discloses a method of encrypting a document, comprising: affixing an adhesive label to a document, the adhesive label to a document, the adhesive label being optically readable to identify a public key that is a public member of an asymmetric public-private pair or cryptographic keys; digitizing the document after the step of applying to create a digital image of the document and the adhesive label; identifying the public key using the digital image; and encrypting at least a portion of the digital image with the identified public key (pars 5, 13, 56, 84-89).

As per **claim 32**, Nagel further discloses wherein the adhesive label is associated with a label carrier prior to affixing, further comprising separating the adhesive label from the label carrier before affixing the adhesive label to the document (pars 5, 13, 56, 84-89).

As per **claim 33**, Nagel further discloses wherein separating includes peeling the adhesive label off of the label carrier (pars 5, 13, 56, 84-89).

As per **claim 5**, Nagel further discloses wherein the adhesive label presents a barcode that identifies the public key (pars 5, 13, 56, 84-89).

As per **claim 6**, Nagel further discloses wherein the adhesive label presents a glyph code, and wherein the glyph code contains public-key identifying information in a machine-readable graphic (pars 5, 13, 56, 84-89).

As per **claim 7**, Nagel further discloses wherein the adhesive label presents the public key (pars 5, 13, 56, 84-89).

As per **claim 8**, Nagel further discloses wherein the adhesive label identifies a location on a digital storage medium, and wherein the location includes the public key (par 158).

As per **claim 9**, Nagel further discloses sending the encrypted digital image from a sender to an address of a recipient, the address being identified by the adhesive label (par 158).

As per **claim 10**, Nagel further discloses wherein sending transmitting a digital signature to the recipient, the digital signature being produced using a private key of the sender and relating to the digital image (pars 5, 13, 56, 84-89).

As per **claim 12**, Nagel further discloses removing an image portion corresponding to the adhesive label from the digital image before encrypting (pars 5, 13, 56, 84-89).

As per **claim 13**, Nagel discloses a method of sending an encrypted image of a document, comprising disposing a physical tag on a document, the physical tag having a glyph code with public-key identifying information; digitizing the document to create a digital image that includes a digital representation of the glyph code; and reading the digital representation of the glyphcode to obtain the public key; encrypting the digital image with the obtained public key; and sending the encrypted image to a recipient that holds a private key, the private key forming an asymmetric public-private pair of cryptographic keys with the public key (pars 5, 13, 56, 84-89).

As per **claim 15**, Nagel further discloses wherein the physical tag carries an address, the address corresponding to the recipient (par 158).

As per **claim 17**, Nagel further discloses wherein the physical tag is included on an adhesive label, and wherein disposing includes applying the adhesive label to the document (pars 5, 13, 56, 84-89).

As per **claim 18**, Nagel discloses a device for encrypting an image produced from spatially-distributed physical information, the device comprising at least one digitizing mechanism adapted to digitize spatially-distributed physical information to create a digital image, and to digitize a glyph code associated with the physical information, the glyph code being readable to identify a public key that is a public member of an asymmetric public-private pair of cryptography keys; and a processor operatively connected to the digitizing mechanism and adapted to receive the digital image and a digital representation of the glyph code from the at least one digitizing mechanism, to read the digital representation of the glyph code to identify the public key, and to encrypt the image with the identified public key (pars 5, 13, 56, 84-89)

As per **claim 19**, Nagel further discloses wherein the physical information is included in a document, the document having a substrate that supports the physical information (pars 5, 13, 56, 84-89).

As per **claim 20**, Nagel further discloses wherein the glyph code is presented by a label that is applied to the document (pars 5, 13, 56, 84-89).

As per **claim 21**, Nagel further discloses wherein the at least one digitizing mechanism is a single mechanism that digitizes both the glyph code and the physical information (pars 5, 13, 56, 84-89).

As per **claim 22**, Nagel further discloses wherein the glyph code carries an address of a recipient, and the processor is adapted to be connected to a network and to send the encrypted image to the address through the network (par 158).

As per **claim 25**, Nagel further discloses wherein the glyph code carries the public key (pars 5, 13, 56, 84-89).

As per **claim 26**, Nagel further discloses wherein the glyph code identifies a location on a digital storage medium, and wherein the location includes the public key (pars 5, 13, 56, 84-89, 158).

As per **claim 27**, Nagel discloses a program storage device readable by a processor, tangibly embodying a program of instructions executable by the processor to perform method steps for encrypting an image produced from physical information, comprising: digitizing spatially-distributed physical information to create a digital image of the information; digitizing a glyph code associated with the physical information and readable to identify a public key that is a public member of an asymmetric public-private pair of cryptography keys; and reading a digital representation of the glyph code produced by digitizing the glyph code to identify the public key; and encrypting the digital image with the identified public key (pars 5, 13, 56, 84-89).

As per **claim 28**, Nagel further discloses wherein the physical information is included in a document, the document having a substrate that supports the physical information (pars 5, 13, 56, 84-89).

As per **claim 29**, Nagel further discloses wherein the glyph code is presented by an adhesive label that is affixed to the document (pars 5, 13, 56, 84-89).

As per **claim 34**, Nagel further discloses wherein disposing a physical tag includes disposing a physical tag having a glyph code that includes a logo (pars 5, 13, 56, 84-89).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

Art Unit: 2137

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



T. Teslovich



EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER